



ATTORNEY DOCKET NO.: MIC-42 (P50-0092)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Jack Thiesen, et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 10/718,924	)	Group Art Unit: 2635
	)	
Filed: November 21, 2003	)	Our Customer ID: 22827
	)	
Confirmation No.: 2390	)	Our Account No. 04-1403
	)	
For: Acoustic Wave Device With	)	
Modulation Functionality	)	

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

The attached Information Disclosure Statement is submitted for the Examiner's consideration in accordance with the Applicants' duty of disclosure.

Regarding EP 1 052 119 A1, the relevance of this document is stated in the attached English language Abstract. Although the documents provided in this Information Disclosure Statement are submitted for the Examiner's convenience, Applicants do not admit of their relevance as prior art to the present application under 35 U.S.C. §102 and §103 nor of their pertinence in other respects.

The Examiner is encouraged to contact the undersigned at his/her convenience should he/she have any questions regarding this matter or require any additional information.

Respectfully submitted,

DORITY & MANNING,  
ATTORNEYS AT LAW, P.A.

Date: March 19, 2004

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INFORMATION DISCLOSURE STATEMENT

In re Application of: Jack Thiesen, et al.

Serial No: 10/718, 924

Filed: November 21, 2003

Confirmation No: 2390

Title: Acoustic Wave Device With  
Modulation Functionality

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Alexandria, VA 22313-1450

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1.[x] Attached hereto is:

- a.[x] A list of materials for consideration per Rule 98(a)(1): 11 page(s)
- b.[x] A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s):  
4 item(s).
- c.[x] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: Such explanation is provided in the attached Abstract.  
[ ] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.[x] This Information Disclosure Statement is being filed [CHECK ONE]:

- a.[x] WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b.[ ] AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
  - i.[ ] Certification per Rule 97(e); OR
  - ii.[ ] Filing Fee per Rule 17(p) .....\$180.00
- c.[ ] AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
  - i. Certification per Rule 97(e); AND
  - ii. Filing fee per Rule 17(p) .....\$180.00

3.[ ] Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a.[ ] That each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b.[ ] That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

- 4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.
- 5.[x] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

- a.[x] First Class Mail Certificate of Mailing under Rule 8:

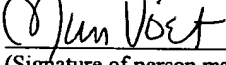
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- b.[ ] "Express Mail" Certificate under Rule 10:

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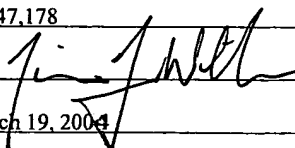
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DORITY & MANNING, P.A.

By: Tim F. Williams, Esquire

Reg. No: 47,178

Signature: 

Date: March 19, 2004

MAR. 22 2004

DM-10/03  
Sheet 1 of 1

(Rev. 5/92) Information Disclosure Statement List By Applicants Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number: MIC-42 (P50-0092)	Serial Number: 10/718,924
	Applicant Jack Thiesen, et al.	
	Filing Date: November 21, 2003 Confirmation No.: 2390	Group Art Unit: 2635

## NOTE:

If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]

- (1) This item is cumulative, per Rule 98(c).
- (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:  
 USSN \_\_\_\_\_, filed \_\_\_\_\_, or  
 USSN \_\_\_\_\_, filed \_\_\_\_\_;  
 Relied on under 35 U.S.C. Section 120, per Rule 98(d)
- (3) Both reasons (1) and (2) apply
- (4) No legible complete copy is possessed, in custody of controlled, or readily available
- (5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

U.S. PATENT DOCUMENTS										
EXAMINER INITIALS	PATENTEE NAME				PATENT NUMBER				ISSUE DATE	COPY NOTE
FOREIGN PATENT DOCUMENTS										
EXAMINER INITIALS	COUNTRY	DOCUMENT NUMBER	PUBLICATION DATE	TRANSLATION			COPY NOTE			
				YES	NO	N/A				
	PCT WO	0 9 8 2 1 8 1 8	08/01/2002			X				
	PCT WO	0 2 4 7 9 2 4 A1	06/20/2002			X				
	EP	1 0 5 2 1 1 9 A1	11/15/2000		X					

\*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS	OTHER DOCUMENTS	COPY NOTE
	Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	
	English Language Abstract of EP 1 052 119 A1, Publication Date 2000-11-15.	
	U.S. Patent Application Publication No.: US 2002/0117005 A1 Publication Date: Aug. 29, 2002 Title: Pressure Monitor System Inventors: David Vile; John Beckley U.S. Patent Application No. 10/057,460, filed Jan. 24, 2002 U.S. Patent and Trademark Office.	(5)
EXAMINER	DATE CONSIDERED	
Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.		